FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EU 485023 411 U.S.	10-7-04
Express Mail Label Number	Date of Deposit

Form PTO-1390-MOD (REV 10-96)	U. S. Department of Commerce Patent and Trademark Office	ATTORNEY'S DOCKET NUMBER 4-32437A
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) **10/510530**
INTERNATIONAL APPLICATION NO. PCT/EP03/03643	INTERNATIONAL FILING DATE 8 April 2003	PRIORITY DATE CLAIMED 9 April 2002
TITLE OF INVENTION COMPOSITIONS COMPRISING MMP7 MODULATORS FOR THE TREATMENT OF CHRONIC PAIN		
APPLICANT(S) FOR DO/EO/US BUXTON ET AL.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
    b. ☒ has been transmitted by the International Bureau. (See Form PCT/IB/308)
    c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C.371(c)(3)).
    a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
    b. ☐ have been transmitted by the International Bureau.
    c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An executed Declaration and Power of Attorney (original or copy) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included.

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

13. ☒ A FIRST preliminary amendment.
    ☐ A SECOND or SUBSEQUENT preliminary amendment.

14. ☐ A substitute specification.

15. ☐ A change of power of attorney and/or address letter.

16. ☒ Other items or information: Unexecuted Declaration, Application Data Sheet

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) **10/510530**	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER

17. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492(a) (1)-(5)):

		CALCULATIONS PTO USE ONLY
Search Report has been prepared by the EPO or JPO	$920	
International preliminary examination fee paid to USPTO (37 CFR 1.482)	$730	
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).	$770	
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.	$1,080	
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).	$100	

ENTER APPROPRIATE BASIC FEE AMOUNT =	$ 920	
Surcharge of **$130** for furnishing the oath of declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	$	

CLAIMS	NUMBER FILED		NUMBER EXTRA	RATE			
Total claims	24	- 20 =	4	X $	18	$ 72	
Independent claims	8	- 3 =	5	X $	86	$ 430	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ $	290	$	

TOTAL OF ABOVE CALCULATIONS =	$ 502	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).	$	
SUBTOTAL =	$ 1,422	
Processing fee of **$130** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +	$	
TOTAL NATIONAL FEE =	$ 1,422	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). $ per property +	$	
TOTAL FEES ENCLOSED =	$ 1,422	
	Amount to be: refunded	$
	charged	$

a. ☐ A check in the amount of $_____ to cover the above fees is enclosed.

b. ☒ Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of $1,422 to cover the above fees. A duplicate copy of this form is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0134 in the name of Novartis.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to the address associated with
Customer No. 001095, which is currently:

Regina Bautista
Attorney for Applicants
Reg. No. 46,280
(617) 871-3356

Novartis
Corporate Intellectual Property
One Health Plaza, Building 430
East Hanover, NJ 07936-1080
Dated: October _7_, 2004